

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ETHEL FLORENCE CRAVENS,)
Plaintiff,) CASE NO. C13-0659-RAJ-MAT
v.)
CAROLYN W. COLVIN, Acting) REPORT AND RECOMMENDATION
Commissioner of Social Security,)
Defendant.)

)

Plaintiff brought this action to seek judicial review of the denial of her application for disability benefits by the Commissioner of the Social Security Administration. The parties now stipulate that this case should be reversed and remanded for further proceedings, including a de novo hearing, a new decision, and the actions outlined below. (Dkt. 25.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the ALJ shall: (1) re-evaluate the evidence at step one and determine whether plaintiff engaged in substantial gainful activity during the period at issue; (2) re-evaluate plaintiff's mental impairments pursuant to the special technique in 20 C.F.R. §§

01 404.1520(a), 416.920a; (3) reconsider plaintiff's residual functional capacity (RFC) and, in so
02 doing, further evaluate the opinion evidence of record; (4) re-evaluate plaintiff's obesity
03 pursuant to Social Security Ruling (SSR) 02-1p; (5) further evaluate plaintiff's credibility
04 pursuant to SSR 96-7p; (6) re-evaluate the evidence at step four and, in so doing, compare the
05 physical and mental demands of plaintiff's past relevant work with her maximum RFC; (7) if
06 necessary, proceed to step five and obtain supplemental vocational testimony to determine
07 whether there are a significant number of jobs in the national economy plaintiff can perform;
08 and (8) if plaintiff is found disabled, determine whether drug abuse and/or alcoholism is
09 material to the finding of disability pursuant to 20 C.F.R. §§ 404.1535, 416.935, and SSR
10 13-2p. The parties further agree that plaintiff may present new arguments and evidence, and
11 the ALJ may perform further record development and conduct further proceedings as
12 necessary. Also, upon proper presentation, the Court will consider plaintiff's application for
13 attorney's fees and expenses under 28 U.S.C. § 2412(d), and costs under 28 U.S.C. § 1920.

14 Given the above, the Court recommends that United States District Judge Richard A.
15 Jones immediately approve this Report and Recommendation and order the case REVERSED
16 and REMANDED for further administrative proceedings pursuant to sentence four of 42
17 U.S.C. § 405(g). A proposed order accompanies this Report and Recommendation.

18 DATED this 27th day of August, 2013.

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22 Mary Alice Theiler
Chief United States Magistrate Judge